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7 Attorneys for REORGANIZED DEBTORS

8
9
10 **UNITED STATES BANKRUPTCY COURT**

11 **DISTRICT OF NEVADA**

12 IN RE:

13 THE RHODES COMPANIES, LLC,
14 aka "Rhodes Homes," *et al.*,

15 Reorganized Debtors.¹

16 ☒ Affects All Debtors
17 ☐ Affects the following Debtors:

Case No. BK-S-09-14814-LBR
(Jointly Administered)

Chapter 11

Date of Hearing: 1/6/2012
Time of Hearing: 9:30 a.m.

18 **NOTICE OF ENTRY OF ORDER APPROVING MOTION OF THE REORGANIZED**
19 **DEBTORS FOR ENTRY OF AN ORDER APPROVING SETTLEMENT BETWEEN**
20 **JAMES RHODES AND THE REORGANIZED DEBTORS**

21 NOTICE IS HEREBY GIVEN that the ORDER APPROVING MOTION OF THE
22 REORGANIZED DEBTORS FOR ENTRY OF AN ORDER APPROVING SETTLEMENT

23 ¹ The Reorganized Debtors in these cases, along with the last four digits of each Debtor's federal tax identification
24 number, if applicable, are: Heritage Land Company, LLC (2918); The Rhodes Companies, LLC (3060); Rhodes
25 Ranch General Partnership (1760); Tick, LP (0707); Glynda, LP (5569); Chalkline, LP (0281); Batcave, LP (6837);
26 Jackknife, LP (6189); Wallboard, LP (1467); Overflow, LP (9349); Rhodes Ranch Golf and Country Club (9730);
27 Tuscany Acquisitions, LLC (0206); Tuscany Acquisitions II, LLC (8693); Tuscany Acquisitions III, LLC (9777);
28 Tuscany Acquisitions IV, LLC (0509); Parcel 20 LLC (5534); Rhodes Design and Development Corp. (1963); C&J
Holdings, Inc. (1315); Rhodes Realty, Inc. (0716); Jarupa LLC (4090); Elkhorn Investments, Inc. (6673); Rhodes
Homes Arizona, LLC (7248); Rhodes Arizona Properties, LLC (8738); Tribes Holdings LLC (4347); Six Feathers
Holdings, LLC (8451); Elkhorn Partners, A Nevada Limited Partnership (9654); Bravo Inc. (2642); Gung-Ho
Concrete, LLC (6966); Geronimo Plumbing, LLC (6897); Apache Framing, LLC (6352); Tuscany Golf Country
Club, LLC (7132); Pinnacle Grading, LLC (4838).

BETWEEN JAMES RHODES AND THE REORGANIZED DEBTORS, was entered herein on this Court's docket on January 11, 2012, as Document No. 1631. A copy of said Order is attached hereto.

DATED this 11th day of January, 2012.

KOLESAR & LEATHAM.

By: 

NILE LEATHAM, ESQ.

Nevada Bar No. 002838

SHLOMO S. SHERMAN, ESQ.

Nevada Bar No. 009688

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Las Vegas, Nevada 89145

Attorneys for REORGANIZED DEBTORS

CERTIFICATE OF SERVICE

1. On January 11, 2012, I served the following document(s) (*specify*):

Notice of Entry of Order Approving Motion of the Reorganized Debtors for Entry of an Order Approving Settlement Between James Rhodes and the Reorganized Debtors

2. I served the above-named document(s) by the following means to the persons as listed below:

(*Check all that apply*)

☒ a. **ECF System (*You must attach the "Notice of Electronic Filing," or list all persons and addresses and attach additional paper if necessary*)**

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21 TIMOTHY P. THOMAS on behalf of Creditor STEERING COMMITTEE
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24 U.S. TRUSTEE - LV - 11
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25 DONALD H. WILLIAMS on behalf of Creditor Westar Kitchen & Bath,
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27 GREGORY F WILSON on behalf of Witness SANTORO, DRIGGS,
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MICHAEL YODER on behalf of Other Prof. THE LITIGATION TRUST
 OF THE RHODES COMPANIES, LLC
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☐ b. **United States mail, postage fully prepaid**
(List persons and addresses. Attach additional paper if necessary)

☐ c. **Personal Service** *(List persons and addresses. Attach additional paper if necessary)*

I personally delivered the document(s) to the persons at these addresses:

☐ For a party represented by an attorney, delivery was made by handing the document(s) to the attorney or by leaving the documents(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge by leaving the documents(s) in a conspicuous place in the office.

☐ For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

☐ d. **By direct email (as opposed to through the ECF System)**
(List persons and email addresses. Attach additional paper if necessary)

Based upon the written agreement of the parties to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ e. **By fax transmission** *(List persons and fax numbers. Attach additional paper if necessary)*

Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

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☐ f. **By messenger** (*List persons and addresses. Attach additional paper if necessary*)

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service. (*A declaration by the messenger must be attached to this Certificate of Service*).

I declare under penalty of perjury that the foregoing is true and correct.


Declarant

KOLESAR & LEATHAM
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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA
SOUTHERN DIVISION**

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## Chapter 11

**Hearing Date: January 6, 2012**  
**Hearing Time: 9:30 a.m. (PST)**  
**Courtroom 1**

|                                     |                                 |
|-------------------------------------|---------------------------------|
| <input checked="" type="checkbox"/> | All Debtors                     |
| <input type="checkbox"/>            | Affects the following Debtor(s) |

**ORDER APPROVING MOTION OF THE REORGANIZED DEBTORS FOR  
ENTRY OF AN ORDER APPROVING SETTLEMENT BETWEEN JAMES  
RHODES AND THE REORGANIZED DEBTORS**

<sup>1</sup> The Reorganized Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, if applicable, are: Heritage Land Company, LLC (2918); The Rhodes Companies, LLC (3060); Rhodes Ranch General Partnership (1760); Tick, LP (0707); Glynda, LP (5569); Chalkline, LP (0281); Batcave, LP (6837); Jackknife, LP (6189); Wallboard, LP (1467); Overflow, LP (9349); Rhodes Ranch Golf and Country Club (9730); Tuscany Acquisitions, LLC (0206); Tuscany Acquisitions II, LLC (8693); Tuscany Acquisitions III, LLC (9777); Tuscany Acquisitions IV, LLC (0509); Parcel 20 LLC (5534); Rhodes Design and Development Corp. (1963); C&J Holdings, Inc. (1315); Rhodes Realty, Inc. (0716); Jarupa LLC (4090); Elkhorn Investments, Inc. (6673); Rhodes Homes Arizona, LLC (7248); Rhodes Arizona Properties, LLC (8738); Tribes Holdings LLC (4347); Six Feathers Holdings, LLC (8451); Elkhorn Partners, A Nevada Limited Partnership (9654); Bravo Inc. (2642); Gung-Ho Concrete, LLC (6966); Geronimo Plumbing, LLC (6897); Apache Framing, LLC (6352); Tuscany Golf Country Club, LLC (7132); Pinnacle Grading, LLC (4838).

**AKIN GUMP STRAUSS HAUER & FELD LLP**

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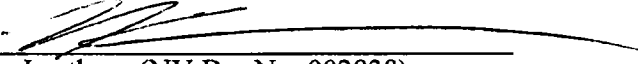
Upon consideration of the *Motion of the Reorganized Debtors for Entry of an Order Approving Settlement Between James Rhodes and the Reorganized Debtors* (the "Motion") [Docket No. 1615], and good cause appearing,

**IT IS HEREBY ORDERED THAT:**

1. The Motion is GRANTED.
2. The Settlement<sup>2</sup> is approved, and the Settled Claims shall be allowed in the amount of \$500,000 for all purposes under the Plan as more specifically set forth in the Motion.
3. The Reorganized Debtors are authorized to take such actions as may be reasonably necessary to consummate the Settlement.

DATED this 9<sup>th</sup> day of January, 2012.

PREPARED AND SUBMITTED BY:

  
 Nile Leatham (NV Bar No. 002838)  
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and

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<sup>2</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Motion.

LR 9021(C) CERTIFICATION:

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

☐ The court has waived the requirement set forth in LR 9021(b)(1).

☐ No party appeared at the hearing or filed an objection to the motion.

☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: Kevin N. Anderson – *Approved*;

Unrepresented parties appearing: None;

Trustee: No Appearance at Hearing;

No additional Service required.

I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

###

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*In re The Rhodes Companies, LLC*/Case No. BK-S-09-14814-LBR  
Order Approving Motion of the Reorganized Debtors for Entry of An Order Approving Settlement  
Between James Rhodes and the Reorganized Debtors